

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 3-28 are pending in the application, with 3 and 15 being the independent claims. Claims 9-14 and 21-26 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112

The Examiner has rejected claims 9-14 and 21-26 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. The Examiner appears to argue that the specification does not enable the term "executing the generated script fragment" as recited in claim 9-14 and 21-26.

Applicants used the term "executing the generated script fragment" in claims 9-14 and 21-26 to convey that the generated script fragment was interpreted or otherwise processed by an interpreter. As fully set forth in the specification of the present application, such processing by an interpreter might result in playing the script fragment using text-to-speech (*see, e.g.*, specification at page 2, lines 1-12), executing the script fragment to randomly select an audio prompt from a segment within a pool of audio prompts (*see, e.g.*, specification at page 10, lines 4-20), executing the script fragment to

implicitly select one segment from a pool of audio prompts (*see, e.g.*, specification at page 12, lines 1-21), testing to determine if the end of a list has been reached prior to retrieving a next item from a voice/audio application (*see, e.g.*, specification at page 13, lines 1-20), generating an initial prompt for a user's first visit to a domain and using a secondary prompt for each subsequent visit (*see, e.g.*, specification at page 14, lines 11-19), or examining information about incoming calls and routing the calls based on such information (*see, e.g.*, specification at page. 14, line 21-page 15, line 5).

Based on at least the foregoing sections of the specification, Applicants respectfully submit that the recitation of "executing the generated script fragment" as recited in claims 9-14 and 21-26 is fully supported and enabled by the specification and that this recitation would be readily understood by persons skilled in the art to mean that the generated script fragment was interpreted or otherwise processed by an interpreter. However, for the sake of consistency and to avoid confusion with the claim recitation of "executing the element of the high-level programming language", Applicants have amended claims 9-14 and 21-26 to recite "interpreting a generated script fragment" rather than "executing the generated script fragment." These amendments are not intended to narrow or alter the scope of these claims in any way.

Based on the foregoing, Applicants respectfully submit that the Examiner's rejection of claims 9-14 and 21-26 under 35 U.S.C. § 112, first paragraph, has been traversed and Applicants respectfully request that the rejection be withdrawn.

Rejections under 35 U.S.C. § 102

The Examiner has rejected claims 3-8, 15-20, 27, and 28 under 35 U.S.C. § 102(e) as allegedly being anticipated by VoiceXML Forum: VoiceXML Version 1.00 ("VoiceXML Forum"). For the reasons set forth below, Applicants respectfully submit that VoiceXML Forum does not anticipate claims 3-8, 15-20, 27, and 28. Accordingly, Applicants respectfully traverse.

Claims 3-8 and 27

Independent claim 3 is directed to:

A method for providing an interactive voice response service, comprising:

selecting a script composed in accordance with a language for scripting interactive voice response services and having embedded therein an element of a high-level programming language;

processing the script, wherein processing the script includes executing the element of the high-level programming language to dynamically generate a script fragment composed in accordance with the language for scripting interactive voice response services and replacing the element of the high-level programming language with the generated script fragment to provide a processed script; and

interpreting the processed script to generate a voice response.

The Examiner asserts that VoiceXML Forum teaches "selecting a script composed in accordance with a language for scripting interactive voice response services and having embedded therein an element of a high-level programming language."

(Office Action, p. 4). The Examiner further states that VoiceXML Forum teaches a "generated script fragment" on page 60 where processing "<value expr='debit.card_no'/>" results in a card number, such that the entire processed prompt may read, "The card number is 1234 5678 2345 6789", and the entire prompt is then converted to audio.

Applicants submit that VoiceXML Forum nowhere teaches or suggests "a script ... having embedded therein an element of a high-level programming language" as recited in claim 3. In accordance with the Examiner's example, the segment "<value expr='debit.card_no'/>" found on page 60 of VoiceXML Forum is not an "element of a high-level programming language" but rather an element of VoiceXML. The "<value>" element, as part of the VoiceXML specification, is introduced on page 46 of VoiceXML Forum. The variable "debit.card_no" is an "embedded variable reference" recognized as an "expression to render" by the VoiceXML interpreter.

The functionality of the "<value>" element in the VoiceXML specification is also different in scope from that of the present application. The "<value>" element is used for prompts that "contain embedded variable references." (VoiceXML Forum, page 46). In contrast, the present application can use a high-level language to generate an entire script fragment composed in accordance with the language for scripting interactive voice response services, as shown for example on pages 9 and 10 of the specification. Therefore, the present application provides a user with greater flexibility than the "<value>" element.

Furthermore, Applicants submit that VoiceXML Forum nowhere teaches or suggests "dynamically generat[ing] a script fragment" as recited in claim 3. As set forth

in claim 3, the steps of generating a script fragment and subsequently "replacing the element of the high-level programming language with the generated script fragment" are operations which are performed prior to interpreting the processed script. In contrast, the operations shown on page 60 of VoiceXML Forum are part of the VoiceXML specification and are evaluated during the course of interpreting the VoiceXML script.

Because the operations shown on page 60 of VoiceXML Forum are already VoiceXML script fragments, it cannot be the case that the operations "dynamically generate a script fragment." The specification of the present application shows an illustrative example in which a script fragment is dynamically generated from the code segment on page 9 of the specification, lines 10-22. Executing the element of the high-level programming language shown on page 9 results in the dynamically generated script fragment shown on page 10, lines 7-18 of the specification. The code shown on page 9 corresponds to that of a high-level programming language which, when executed, results in the generation of the script fragment composed in accordance with the language for scripting interactive voice response services on page 10. Accordingly, Applicants submit that VoiceXML Forum and the VoiceXML standard itself do not contain facilities for "dynamically generating a script fragment." For each of the aforementioned reasons, VoiceXML Forum cannot be said to teach or suggest each of the features of independent claim 3.

Applicants submit that dependent claims 4-8 and 27 are not anticipated by VoiceXML Forum for at least the same reasons as independent claim 3 from which they depend and further in view of their own respective features. Accordingly, the Examiner's

rejection of claims 4-8 and 27 under 35 U.S.C. § 102(e) is traversed and Applicants respectfully request that the rejection be withdrawn.

Claims 15-20 and 28

Independent claim 15 is directed to:

An interactive voice interface comprising:

an application program adapted to select and process a script wherein the script is composed in accordance with a language for scripting interactive voice response services and has embedded therein an element of a high-level programming language and wherein processing the script includes executing the element of the high-level programming language to dynamically generate a script fragment composed in accordance with the language for scripting interactive voice services and replacing the element of the high-level programming language with the generated script fragment to generate a processed script; and

an interpreter adapted to interpret the processed script to generate a voice response.

As stated above with regards to claim 3, Applicants submit that VoiceXML Forum nowhere teaches or suggests "a script [having] embedded therein an element of a high-level programming language" or "dynamically generat[ing] a script fragment" as recited in claim 15. For similar reasons, accordingly, VoiceXML Forum cannot be said to teach or suggest each of the features of independent claim 15.

Applicants submit that dependent claims 16-20 and 28 are not anticipated by VoiceXML Forum for at least the same reasons as independent claim 15 from which they depend and further in view of their own respective features. Accordingly, the

Examiner's rejection of claims 16-20 and 28 under 35 U.S.C. § 102(e) is traversed and Applicants respectfully request that the rejection be withdrawn.

Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 6 and 18 under 35 U.S.C. § 103(a) as allegedly being obvious over VoiceXML Forum in view of U.S. Patent No. 6,496,812 to Campaigne et al. ("Campaigne"). Applicants respectfully submit that the Examiner has failed to make out a *prima facie* case of obviousness of claims 6 and 18 based on the combination of VoiceXML Forum and Campaigne.

As demonstrated above, VoiceXML Forum does not teach or suggest each and every limitation of independent claims 3 and 15, and thus it cannot render obvious those claims. Applicants maintain that Campaigne nowhere teaches or suggests, either alone or in combination with VoiceXML Forum, each and every feature of independent claims 3 and 15. Dependent claims 6 and 18 are also not rendered obvious by VoiceXML Forum in view of Campaigne for at least the same reasons as independent claims 3 and 15 from which they depend and further in view of their own respective features. Accordingly, the Examiner's rejection of claims 6 and 18 under 35 U.S.C. § 103(a) is traversed and Applicants respectfully request that the rejection be withdrawn.

Conclusion

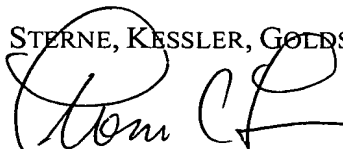
All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be

withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Tom CF", is written over the printed name of Thomas C. Fiala.

Thomas C. Fiala
Attorney for Applicants
Registration No. 43,610

Date: 1/4/06

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

455761